

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

NATIONAL FIRE & MARINE INSURANCE
COMPANY,

Plaintiff,

-against-

ROBIN JAMES CONSTRUCTION, INC.,

Defendant.

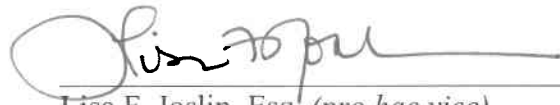
Civil Action No.: 06-97

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

NOW COMES Plaintiff, National Fire and Marine Insurance Company (hereinafter "National Fire"), by and through its counsel Deily, Mooney and Glastetter, LLP, who hereby moves this Court, pursuant to Rule 56[c] of the Federal Rules of Civil Procedure, for an Order granting it summary judgment on plaintiff's three (3) causes of action for breach of contract.

WHEREFORE, on the grounds more fully set forth in the accompanying Affidavit of Lisa F. Joslin, Affidavit of Linda Burton and Memorandum of Law, plaintiff National Fire hereby requests that the Court grant its motion for summary judgment on its claims in their entirety, and award plaintiff: (1) compensatory damages in the amount of \$230,659.74; and (2) such other and further relief as to the Court may seem just and proper.

Dated: December 1, 2006



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s/ Kristi J. Doughty

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**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

NATIONAL FIRE & MARINE)	
INSURANCE COMPANY,)	
)	
Plaintiff,)	C.A. No.: 06-97
)	
v.)	
)	
ROBIN JAMES CONSTRUCTION, INC.)	
)	
Defendant.)	

CERTIFICATE OF SERVICE

I, Kristi J. Doughty, hereby certify this 1st day of December, A.D. 2006 that one true copy of **Motion for Summary Judgment** was delivered via electronic service and first class mail upon Defendant's counsel as follows:

Eric C. Howard
Wilson Halbrook & Bayard
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P.O. Box 690
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/s/ Kristi J.Doughty
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